

AIELLO & ASSOCIATES, P.L.L.C.

Attorneys and Counselors at Law

32411 Mound Road
Warren, Michigan 48092

CHRISTOPHER P. AIELLO
AARON D. GEYER
Aaron@Chrisaiello.com

TELEPHONE
(586) 303-2211
FACSIMILE
(586) 303-1259

January 18, 2023

The Charter Township of Waterford
The Waterford Township Board of Trustees
5200 Civic Center Drive
Waterford, Michigan 48329

Re: Golden Rockies Inc., 5770 & 5806 Dixie Highway
Agenda Item – Request for Extension to Obtain Certificate of Occupancy

The Waterford Township Board of Trustees:

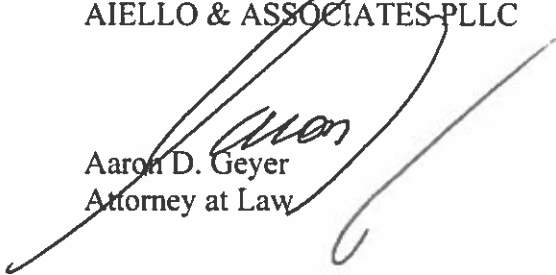
An item has been added to your Board of Trustee Agenda for January 23, 2023 to address a request from Golden Rockies Inc. Golden Rockies was awarded a license to operate a medical marihuana provisioning center license to operate at 5770 & 5806 Dixie Highway in Waterford Township. Pursuant to Section 10-303(i) of the Charter Township of Waterford Medical Marihuana Facility Licensing Ordinance, the final decision to approve or conditionally approve Golden Rockies' application is to take place within one year of the Township Board's final decision – that date being March 14, 2023.

The Ordinance section permits approval at "such later date" which is why Golden Rockies appears before this Board. While we are moving forward (Golden Rockies obtained Planning Commission and ZBA approvals, and building permits have been issued), obtaining a Certificate of Occupancy before our deadline may not be possible. At the present time, we are experiencing product delays which impedes our ability to finish construction and obtain the requisite state licensing from the CRA.

Rather than waiting until the last minute and scramble to obtain a date to appear before this body to request an extension, on behalf of Golden Rockies Inc., we would respectfully request a formal extension from this Board. This would be our first extension request, and we are aware that other marihuana applicants have sought and obtained similar relief.

Thank you,

Respectfully submitted,
AIELLO & ASSOCIATES PLLC


Aaron D. Geyer
Attorney at Law

ADG/
Enclosures

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION CONDITIONALLY APPROVING
MEDICAL MARIHUANA FACILITY LICENSE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") under the Township Medical Marihuana Facility Licensing Ordinance codified as Sections 10-291 through 10-309 in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code ("Ordinance"), with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Medical Marihuana Facility License Application ("Application"):

License Applied For:	Provisioning Center
Named Applicant:	Golden Rockies, Inc.
Facility Location:	5770 & 5806 Dixie
Initial Filing Date:	01/04/2021
Supplemental Filing Date:	11/17/2022
Application Number	11

C. The Application was reviewed by Township personnel as provided in Section 10-302 and by the Township Attorney as directed by the Board on May 24, 2021 ("Reviews").

D. Based on the Reviews and determinations made by the Board on June 14, 2021, the Application was substantively complete.

E. The Application was denied by the Township Board on July 26, 2021, pursuant to Sections 10-303(c) and 10-303 (d)(3) because there were no additional available licenses remaining for that type of license.

F. On October 12, 2021, the Township Board amended the MMFL Ordinance to increase the number of provisioning center licenses by four (4) and to allow for the acceptance of Supplemental Applications to update and rely on a previously denied Application. The Applicant filed a timely Supplemental Application by the due date, which was reviewed as required under Section 10-302 and was determined to be administratively complete.

G. By a motion passed by the Board on March 14, 2022, the Application with its Supplemental Application were approved with one (1) condition in addition to those in Section 10-306 that are part of every approved License.

H. A copy of this Resolution was emailed by the Township Clerk to the Named Applicant's representative with notice that it would be considered for adoption by the Board as its final decision at its March 14, 2022, 6:00 PM meeting.

I. At its meeting on March 14, 2022, the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application with its Supplemental Application is approved with all standards, terms, and conditions in Section 10-306 to be incorporated by reference in and requirements of the License that is issued based on this approval.

IT IS FURTHER RESOLVED that this approval is with the following additional condition that must be accepted in writing by the Named Applicant within 10 business days of the Township Clerk sending this certified Resolution to the Named Applicant:

The Site and Building Plans submitted for Zoning and Construction Code approvals being modified from what was submitted with the Application as necessary to fully comply with all Ordinance and Code requirements without variances.

IT IS FURTHER RESOLVED that the following requirements and guidelines shall apply in determining compliance with the times to start and complete construction in the Application:

1. The periods of time before, between, and after any actual dates used in the Application shall be controlling over those dates.
2. If a time in the Application is stated by reference to the date of a Township approval or permit, that shall be the date this Resolution is adopted or the date of Township Planning Commission conceptual site plan approval if that approval is applied for within 60 days of the date of this Resolution and thereafter diligently pursued by the Named Applicant.

IT IS FURTHER RESOLVED that after certifying the adoption of this Final Decision Resolution including the vote on the Board's motion to do so, the Township Clerk shall email a copy to the Named Applicant's representative as provided in Section 10-303(f).

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting of that Board on March 14, 2022.

Date

Kimberly Markee, Township Clerk